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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Mamiko Sugimoto

DP-820 US

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EXAMINER

HOLTON, STEVEN E

ART UNIT

PAPER NUMBER

2629

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/989,437

Applicant(s)

SUGIMOTO ET AL.

Examiner

Steven E. Holton

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is made in response to applicant's amendment filed on 4/27/2006. Claims 1-30 are currently pending in the application. An action follows below:

Claim Objections

2. Claims 3, 25, 29, and 30 are objected to because of the following informalities: claims 3 and 29 use the phrase, "wherein data in the storage is substantially all stored after...", the Examiner feels that 'substantially all' should be removed, the detailed explanation within the specification does not discuss how parts of the data might not be saved during a save operation and it appears that all of the data is expected to be saved during a save operation started from using the Lock button and closing a medical report.

Claims 25 and 30 use the phrase "display the data below the sheet label by classifying the data" in the final line. It is unclear what 'classifying the data' means in relation to displaying the data on the screen underneath the sheet label that the data is associated with.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 recites the limitation "each sheet label" in line 6. There is insufficient antecedent basis for this limitation in the claim. The Examiner notes that sheet labels were mentioned in claim 1 previously, but the most recent amendment to the claim has removed the earlier references to sheet labels.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Montlick (USPN: 5561446).

Regarding claim 1, Montlick discloses a wireless apparatus and pen based input data entry system. The system comprising: an input/display device (Fig. 1, element 12) including input means and display means and receiving hand writing inputs (see Fig. 3), a storage (Fig. 1, elements 19 and 20) for storing substantially all medical data (col. 4, line 66- col. 5 line 2). Montlick further discloses sheet labels (Fig. 2, element 32; each tab can be considered a sheet label associated with a specific page/sheet of

information) where as the input means moves onto different sheet labels the information associated with said sheet label is displayed on the screen (col. 5, line 54 – col. 6, line 3). The Examiner notes that Montlick recites that touching the pen to any of the menu fields will select the menu field. Sliding the pen along the screen so that it touches one or another menu field would also select the menu field and display the information associated with the menu field. Montlick changing the display so that proper information is displayed constitutes a change-over operation.

Regarding claim 9, the Examiner notes that the claim states, “wherein the method comprises one of” and then provides a list of operations that are part of the method. The first operation described is the same as the operation described in claim 1. Therefore, the arguments applied to claim 1 can be applied to claim 9.

Regarding claims 2 and 10, Montlick teaches, a medical treatment system where when the segments (Fig. 3, segments labeled ‘Vital Signs’, ‘Eyes’, ‘Ears’ and ‘Other’) of an input field are displayed (Fig. 3, element, element 50), the segments have labels assigned in a previously specified sequence. The Examiner notes that many of the input fields are pre-made forms from the central controller, thus the segment labels are assigned based on predetermined sequences.

Regarding claim 3, Montlick discloses, “wherein in the storage the data are substantially all stored after... an operation to explicitly close a medical report (col. 8, lines 1-9).”

Regarding claim 7, Montlick teaches, a medical treatment system where when the segments (Fig. 3, segments labeled ‘Vital Signs’, ‘Eyes’, ‘Ears’ and ‘Other’) of an

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input field are displayed (Fig. 3, element, element 50), the segments have labels assigned in a previously specified sequence. The Examiner notes that many of the input fields are pre-made forms from the central controller, thus the segment labels are assigned based on predetermined sequences.

Regarding claims 12, 13, and 15, the Examiner takes Official Notice that at the time of invention it was well known in the art to make data files stored on a network to be unalterable except by users with certain permissions. When a user accessed a file that has been made unalterable, a display item, icon, or message is displayed to the user that the data cannot be changed. Therefore, it would have been obvious to one skilled in the art to allow that medical records not be altered because of the need of accurate medical history for patients, and would display information so that a user would recognize when a medical record could not be altered.

Regarding claims 16 and 24, Montlick teaches, "wherein said input/display device is a pen-tablet device (Fig. 1, element 12)."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4, 5, 6, 8, 11, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Montlick as applied to claims 1 and 9 above in view of Snell et al. (USPN: 5724985), hereinafter Snell.

Regarding claims 4, 5, 6, 8, and 11, as discussed above, Montlick discloses all of the limitations except, "wherein said input/display device conducts character recognition processing for handwritten data inputted from said input means, the handwritten data being an array of values of coordinates; converts by said character recognition processing the data into text data including an array of character codes, and displays the text data." Montlick does disclose saving handwriting data as 'x and y screen pixel coordinates (col. 4, line 24)'.

Snell discloses, "special software programs called text recognition engines are known and have been applied to tablet computers. Such engines allow pen input to be recognized as characters and then manipulated as character data (col. 26, lines 38-42)."

At the time of invention, it would have been obvious to one skilled in the art to modify a system of Montlick to further provide text recognition as noted by Snell. The

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motivation for doing so would have been to provide “an improved apparatus and method for viewing, manipulating and annotating both real-time and stored medical data (Snell, col. 5, lines 50-55).” Also, even though neither Montlick nor Snell disclose storing the coordinate data in an array, the Examiner takes Official Notice that it is a well-known practice in the art of computer science to use an array to store lists of numerical data, such as coordinate data from a touch or pen based input system. The motivation for doing so would be to have an organized set of coordinate data that could be easily accessed and manipulated for use in calculations and other operations of the system. Therefore, it would have been obvious at the time of invention to store coordinate data in an array to produce a tablet input system for medical records that converted handwritten notes into text information to produce a device as specified in claims 4, 5, and 11.

Regarding claim 14, the Examiner takes Official Notice that at the time of invention it was well known in the art to make data files stored on a network to be unalterable except by users with certain permissions. When a user accessed a file that has been made unalterable, a display item, icon, or message is displayed to the user that the data cannot be changed. Therefore, it would have been obvious to one skilled in the art to allow that medical records not be altered because of the need of accurate medical history for patients, and would display information so that a user would recognize when a medical record could not be altered.

6. Claims 18, 22, 23, 27, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Montlick in view of Igarashi et al. (Applicant's Cited Prior Art: "An Architecture for Pen-based Interaction on Electronic Whiteboards"), hereinafter Igarashi.

Regarding claim 18, as discussed above Montlick discloses all of the limitations except, "the input means moving in a horizontal direction in a sliding manner to cross an input field displayed at a position on a screen by the display means; and the input/display device displaying the input field, the input field being subdivided into segments."

Igarashi discloses a method of splitting segments on a pen based input system by providing a vertical line across an input field (Fig. 2; section 3.1; Inking and Segmenting).

The Examiner notes that Igarashi only shows splitting a segment using a vertical line between two elements within the segment; however, it would be obvious to one skilled in the art that splitting segments using a vertical line could be adapted to operate with a horizontal line and provide the same splitting functionality.

At the time of invention it would have been obvious to one skilled in the art to modify the pen and tablet based input system disclosed by Montlick with the segment splitting functionality of the system described by Igarashi. The motivation for doing so would be to provide users with flexibility for organizing and working with written input placed on the input system (Igarashi, paragraph spanning the end of the first page to the beginning of the second page). Thus, it would have been obvious to modify the

teachings of Montlick with the teachings of Igarashi to produce a method as described in claim 18.

Regarding claims 22 and 23, Igarashi discloses “dragging an input field selected from a plurality of input fields displayed at positions on a screen by the display means and moving the input field in the screen; and the input/display device one of minimizing or magnifying one of the input field and other input fields on the screen according to movement of the input field dragged by the input means (Igarashi, Fig. 3; section 3.1 final paragraph). This type of moving and squashing would be used to ensure visibility and to keep segments from overlapping when being moved around the screen by the user (Igarashi; section 3.1; final paragraph). This allows hand-written notes and input to be kept visible and selectable for the user.

Regarding claim 30, the Examiner notes that like claim 9, claim 30 recites the method “further comprising one of” and then lists various actions. The seventh and eighth operations are the same as the ones defined in claim 22 and 23 and therefore the arguments can be applied to claim 30 as well.

Regarding claim 27 (which is dependent on claim 30), Montlick teaches, “wherein said input/display device is a pen-tablet device (Fig. 1, element 12).”

7. Claim 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Montlick in view of Fenster et al. (USPN: 5454371), herein after Fenster.

Regarding claim 20, as discussed above Montlick discloses all of the limitations except, “the input means moving from a first point to a second point on an image

displayed at a position on a screen by the display means; and the input/display device measuring a distance of movement between the first and the second points and displaying the distance over the image.”

Fenster discloses a medical imaging system where images can be manipulated and measured using points defined by the user input device (col. 23, lines 25-39). The Examiner notes that the Fenster does not specify where the measured distance is displayed on the screen, but the Examiner states that it would be a design choice for one skilled in the art to display the measured value above the image or inside the image or at any desired location on the screen. Further, Fenster discloses the system using a mouse but states that the system could be realized using various input devices including digitizer and light pen (col. 23, lines 62-67).

At the time of invention it would have been obvious to one skilled in the art to modify the teachings of Montlick with the teachings of Fenster. The motivation for doing so would have been to the user with techniques for manipulating images displayed on display screen (Fenster, col. 1, lines 47-52). Thus, it would have been obvious to provide methods of manipulating images by allowing a user to measure distances on within the image and displaying such distances as disclosed by Fenster with the medical input system disclosed by Montlick to produce the device in claim 20.

Regarding claim 21, Fenster discloses method of drawing a trace beginning at a point displayed at a position on the screen and then rotating the image based on the length and direction of the trace (Figs. 21a –21c; col. 17, lines 10-56).

8. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Montlick (USPN: 5561446) in view of Tanaka (USPN: 5249296).

Regarding 25, as discussed above Montlick discloses all of the limitations except, "the input means dragging a sheet label displayed at positions on a screen by the display means and moving the sheet label upward; and the input/display device reading data stored in the storage in relation to the sheet label from the storage and displaying the data below the sheet label by classifying the data."

Tanaka discloses a gesture based input system for a pen based input system. The input system allows that a new window is opened after the execution of a dragging operation of an icon on the screen (abstract; col. 3, lines 9-12; col. 5, lines 9-28). The Examiner states that the dragging operation of Tanaka involves selecting an associated icon for a record/file/program and then dragging the icon to a location on the screen, wherein the computer system then opens a window and displays the associated information to the icon. The dragging operation may be done in any direction including up; and the generic icon of Tanaka also covers a sheet label or other type of designation of a file or program operating on the computer system.

At the time of invention it would have been obvious to one skilled in the art that would be possible to modify a handwriting input system such as disclosed by Montlick with the ability to select an icon and drag the icon in a direction to display the file information at the location specified by the drag operation as disclosed by Tanaka. The motivation for doing so would have been "to provide an information processing apparatus for controlling window positions, the apparatus allowing the user to employ

any one of the two icon-selecting methods, “check” and “drag” (Tanaka, col. 2, lines 34-38)” also Tanaka finds prior art systems for displaying a window to be “complicated, constrained and confusing (col. 2, line 30).” Thus, it would have been obvious to one skilled in the art to combine Montlick and Tanaka to produce a device as specified in claim 25.

9. Claims 17, 19, 26, 28, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Montlick in view of the Applicant’s Admitted Prior Art (disclosure page 22, line 28 – page 23, line 2), hereinafter AAPA.

Regarding claim 28, Montlick discloses a medical support system with an input/display device (Fig. 1, element 12) including input means and display means and receiving hand writing inputs (see Fig. 3), a storage (Fig. 1, elements 19 and 20) for storing substantially all medical data (col. 4, line 66- col. 5 line 2). However, Montlick does not expressly disclose, “the input means drags a particular input field selected from a plurality of input fields displayed at particular positions on a screen by said display means and drops the particular input field onto a sheet label, and said storage stores data of said particular input field with a relationship established to said sheet label.”

The AAPA discussed on pages 22 and 23 of the specification describe the method of dragging a segment and dropping into a sheet label and storing the information. Further, this technique is described as being analogous to the “drag and drop for Windows” and “the present invention may be an another OS having a same

function about 'drag and drop'". The drag and drop technique described as part of claim 28 is therefore a previously known technology provided by other computer operating systems.

At the time of invention it would have been obvious to one skilled in the art that the pen input system of Montlick could be modified using the 'drag and drop' technique of prior knowledge to produce the device as specified in claim 28. This would be an obvious implementation of commonly used techniques for manipulating input fields in a computer based operating system as shown by Windows as well as other operating systems providing graphical interfaces. Thus, it would be obvious to one skilled in the art that a drag and drop technique as used in other common computer systems could be used with an input system as utilized by Montlick and the combination of the two would produce a device as specified in claim 28.

Regarding claims 17 and 19, the Examiner notes that these claims provide limitations of a drag and drop function similar to the limitations of claim 28. Therefore, the combination of Montlick and the prior knowledge of one skilled in the art could also be applied to read on the limitations of the method described in claims 17 and 19.

Regarding claim 26, Montlick teaches, "wherein said input/display device is a pen-tablet device (Fig. 1, element 12)."

Regarding claim 29, Montlick teaches, "wherein in the storage the data are substantially all stored after... an operation to explicitly close a medical report (col. 8, lines 1-9)."

Response to Arguments

10. Applicant's arguments with respect to claims 1, 9 and 28 have been considered but are moot in view of the new ground(s) of rejection.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven E. Holton whose telephone number is (571) 272-7903. The examiner can normally be reached on M-F 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571) 272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Steven E. Holton
Division 2629
August 3, 2006

AMR A. AWAD
PRIMARY EXAMINER
